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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,266	04/03/2006	Amit WEISMAN	1268-262	6419
22429 7590 01/09/2008 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			EXAMINER LA, ANH V	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 01/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,266	Applicant(s) WEISMAN, AMIT	
	Examiner Anh V. La	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-24 is/are rejected.
- 7) ☒ Claim(s) 18, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/12/06</u> <u>4/3/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "the improvement" in claims 1-10 is a relative term which renders the claim indefinite. The term "the improvement" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 10, 20, 11, 13-15, 17, 21, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker (US 6,965,816).

Regarding claim 1, Walker discloses a device for detecting counter-bands comprising a disablement unit (column 237, lines 55-67, col. 236, lines 30-40).

Regarding claim 2, Walker discloses electrical shocker (col. 236, lines 30-40).

Regarding claim 3, Walker discloses an irritant (col. 236, lines 20-30).

Regarding claim 4, Walker discloses tear gas or anesthetic agent (col. 236, lines 20-30).

Regarding claim 5, Walker discloses a control unit (col. 234, lines 1-50).

Regarding claim 6, Walker discloses a common energy source (col. 234, lines 1-50).

Regarding claim 7, Walker discloses a communication arrangement with a remotely located system (figures 1-40).

Regarding claim 8, Walker discloses an alarm arrangement including visual alarm, audio alarm (col. 240, lines 30-45).

Regarding claim 10, Walker discloses a stationary device.

Regarding claim 11, Walker discloses a device for detecting counter-bands at least one detection unit, at least one disablement unit, a common housing, a control unit, energy supply means, and a switching means (col. 236, line 30-col. 237, line 67, col. 234, lines 1-50).

Regarding claim 13, Walker discloses a stun gun (col. 236, lines 30-40).

Regarding claim 14, Walker discloses the disablement unit and the detection unit being integral (col. 236, line 30-col. 237, line 67, col. 234, lines 1-50).

Regarding claim 15, Walker discloses the disablement unit and the detection unit being detachably engagable (col. 236, line 30-col. 237, line 67, col. 234, lines 1-50).

Regarding claim 17, Walker discloses a stun gun (col. 236, lines 30-40).

Regarding claim 20, Walker discloses tear gas or anesthetic agent (col. 236, lines 20-30).

Regarding claim 21, Walker discloses the disablement unit and the detection unit being detachably engagable (col. 236, line 30-col. 237, line 67, col. 234, lines 1-50).

Regarding claim 22, Walker discloses weapons detector.

Regarding claim 24, Walker discloses a disablement unit and a metal detector device (column 237, lines 55-67, col. 236, lines 30-40).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker.

Regarding claim 19, Walker discloses all the claimed subject matter as set forth above in the rejection of claim 13, but still does not disclose the voltage of 50,000-400,000 volts and the current of 1-4mAmp. However, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have the voltage of 50,000-400,000 volts and the current of 1-4mAmp since it is not inventive to discover the optimum or workable ranges by routine experimentation.

6. Claims 9, 12, 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Burton (US 6,362,739).

Regarding claims 9, 12, 16, 23, Walker discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose a hand-held device(claim 9, 12), a transmitter coil and a receiver coil, a metal detector circuit, an indicator, and a switch (claim 16). Burton teaches the use of a hand-held device, a transmitter coil and a receiver coil 106, a metal detector circuit, an indicator 46-48, and a switch. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a hand-held device, a transmitter coil and a receiver coil, a metal detector circuit, an indicator, and a switch to the device of Walker as taught by Burton for the purpose of easy to carry the device and detecting metal.

7. Claims 18, 25, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bauman, Steinway, Marshall, and Boveja teach monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2612

AI
December 24, 2007